

REMARKS

Claims 1-2, 4-6 and 8 are pending in this application, of which claims 1, 5 and 6 have been amended. No new claims have been added.

The Examiner has indicated that Fig. 13 should be labeled as "Prior Art". Accordingly, Fig. 13 has been so corrected.

The Examiner has objected to claim 6 for an informality which has been corrected in the aforementioned amendments.

Claims 1, 3, 5 and 7 stand rejected under 35 USC §102(e) as anticipated by U.S. Patent 6,547,143 to Koyanagi et al. (hereinafter "**Koyanagi et al.**").

Applicants respectfully traverse this rejection.

Koyanagi et al. discloses a device and method to read bar-codes in which a ratio of a number of modules is compared to a reference module width character included in a bar-code. The number of modules is rounded up and off based upon the number of modules that includes the error component. When the error amount in the ratio exceeds a permissible value, the character in question is demodulated based on the resulting rounding up or off.

Koyanagi et al. fails to disclose using either a demodulation-pattern table, as recited in claim 3, or predetermined candidates characters, as recited in claim 7.

Accordingly, claims 3 and 7 have been canceled and their limitations added to both of claims 1 and 5.

Thus, the 35 USC §102(e) rejection should be withdrawn.

Claims 2 and 6 stand rejected under 35 USC §103(a) as unpatentable over Kawai et al.

Applicants respectfully traverse this rejection.

The Examiner has admitted that Kawai et al. fails to teach a consecutive judging unit that judges whether the number of modules judged is judged to be different from the predetermined number consecutively for a plurality of times, wherein the demodulating unit, if the consecutive judging unit judges that the number of modules judged is judged to be different from the predetermined number consecutively for a plurality of times, does not demodulate the character, but has indicated that such would be obvious so that the determining/checking process is performed consecutively a plurality of times before discontinue the demodulating process, and thus eliminating errors.

In any event, Kawai et al., like Koyanagi et al. discussed above, fails to teach, mention or suggest the newly-added limitations of claims 1 and 5, as amended, from which claim 2 and 6 respectively depend.

Thus, the 35 USC §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1-2, 4-6 and 8, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Replacement Sheet of Drawing (Figs. 13)